

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AUG 06 2009
JUDGE ZAGEL
MAGISTRATE JUDGE COX

09 CR 671

UNITED STATES OF AMERICA)

v.)

FRANKLIN BROWN,)
also known as "Skinny")

UNDER SEAL

Violations: Title 18, United States Code,
Section 1956(a)(1)(B)(ii); Title 21,
United States Code, Section 846

COUNT ONE

The SPECIAL FEBRUARY 2008-2 GRAND JURY charges:

Beginning in or about 2003, and continuing until at least in or about November 2008,
at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

FRANKLIN BROWN,
also known as "Skinny,"

defendant herein, did conspire with others known and unknown to the Grand Jury, knowingly
and intentionally to possess with intent to distribute and to distribute a controlled substance,
namely, 5 kilograms or more of mixtures and substances containing a detectable amount of
cocaine, a Schedule II Narcotic Drug Controlled Substance, and 1 kilogram or more of
mixtures and substances containing heroin, a Schedule I Narcotic Drug Controlled Substance,
in violation of Title 21, United States Code, Section 841(a)(1);

In violation of Title 21, United States Code, Section 846.

COUNT TWO

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

On or about February 5, 2009, at Cicero, in the Northern District of Illinois, Eastern Division,

FRANKLIN BROWN,
also known as "Skinny,"

defendant herein, did knowingly and willfully conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, the deposit of cashier's checks into a Bank of America account ending in -7361, which deposit involved the proceeds of a specified unlawful activity, that is, a violation of the Controlled Substances Act, knowing that the transaction was designed, in whole and in part, to avoid a transaction reporting requirement under Federal law and that while conducting and attempting to conduct such financial transaction knew that the funds involved in the financial transaction, that is, specifically ten cashier's checks, with an aggregate value of \$85,000, represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

COUNT THREE

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

On or about March 18, 2009, at Chicago, in the Northern District of Illinois, Eastern
Division,

FRANKLIN BROWN,
also known as "Skinny,"

defendant herein, did knowingly and willfully conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, the deposit of cashier's checks into a Washington Mutual account ending in -2889, which deposit involved the proceeds of a specified unlawful activity, that is, a violation of the Controlled Substances Act, knowing that the transaction was designed, in whole and in part, to avoid a transaction reporting requirement under Federal law and that while conducting and attempting to conduct such financial transaction knew that the funds involved in the financial transaction, that is, specifically nine cashier's checks, with an aggregate value of \$71,500, represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

COUNT FOUR

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

On or about March 23, 2009, at Chicago, in the Northern District of Illinois, Eastern Division,

FRANKLIN BROWN,
also known as "Skinny,"

defendant herein, did knowingly and willfully conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, the deposit of cashier's checks into a Washington Mutual account ending in -2889, which deposit involved the proceeds of a specified unlawful activity, that is, a violation of the Controlled Substances Act, knowing that the transaction was designed, in whole and in part, to avoid a transaction reporting requirement under Federal law and that while conducting and attempting to conduct such financial transaction knew that the funds involved in the financial transaction, that is, specifically two cashier's checks, with an aggregate value of \$16,000, represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

COUNT FIVE

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

On or about April 8, 2009, at Cicero, in the Northern District of Illinois, Eastern Division,

FRANKLIN BROWN,
also known as "Skinny,"

defendant herein, did knowingly and willfully conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, a deposit into a Bank of America account ending in -7361, which deposit involved the proceeds of a specified unlawful activity, that is, a violation of the Controlled Substances Act, knowing that the transaction was designed, in whole and in part, to avoid a transaction reporting requirement under Federal law and that while conducting and attempting to conduct such financial transaction knew that the funds involved in the financial transaction, that is, specifically four cashier's checks, with an aggregate value of \$32,000, and \$5,000 in U.S. currency, represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

COUNT SIX

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

On or about May 19, 2009, at Cicero, in the Northern District of Illinois, Eastern Division,

FRANKLIN BROWN,
also known as "Skinny,"

defendant herein, did knowingly and willfully conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, a deposit into a Bank of America account ending in -7361, which deposit involved the proceeds of a specified unlawful activity, that is, a violation of the Controlled Substances Act, knowing that the transaction was designed, in whole and in part, to avoid a transaction reporting requirement under Federal law and that while conducting and attempting to conduct such financial transaction knew that the funds involved in the financial transaction, that is, specifically five cashier's checks, with an aggregate value of \$40,000, and \$8,960 in U.S. currency, represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

FORFEITURE ALLEGATION ONE

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges that:

1. The allegations of Count One are realleged and fully incorporated herein for the purpose of alleging forfeiture to the United States pursuant to Title 21, United States Code, Section 853.

2. As a result of his violations of Title 21, United States Code, Section 846, as alleged in the foregoing indictment,

FRANKLIN BROWN,
also known as "Skinny,"

defendant herein, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853(a): (1) any and all right, title, and interest the defendant may have in any property, real and personal, which constitutes and is derived from proceeds traceable to the offense as charged in this indictment; and (2) any and all right, title, and interest the defendant may have in any property, real and personal, which was used, and intended to be used, in any manner or part, to commit, and to facilitate the commission of the offense charged in the indictment.

3. The interests of the defendant subject to forfeiture to the United States pursuant to Title 21, United States Code, Section 853, include, but are not limited to, approximately \$7,505,000.

4. If any of the forfeitable property described above, as a result of any act or omission by the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States to seek forfeiture of substitute property, including but not limited to the following, under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c):

- a. the property located at 739 S. Kenneth Avenue, Chicago, Illinois, 60624;
- b. the property located at 1116 32nd Avenue, Bellwood, Illinois, 60104;
- c. the property located at 751 S. Kostner, Chicago, Illinois, 60624;
- d. the property located at 628 S. Kostner, Chicago, Illinois, 60624;
- e. the property located at 8133-35 S. Ingleside, Chicago, Illinois, 60619;
- f. the property located at 336-342 W. Marquette, Chicago, Illinois, 60621;
- g. the property located at 1121 Eastern Avenue, Bellwood, Illinois, 60104;
- h. the property located at 758 S. Kenneth Avenue, Chicago, Illinois, 60624;
- i. the property located at 4410-12 W. Lexington Avenue, Chicago, Illinois, 60624;
- j. the property located at 4353 W. Flournoy, Chicago, Illinois, 60624;
- k. the property located at 4341 W. Lexington Avenue, Chicago, Illinois, 60624;
- l. the property located at 4345 W. Lexington Avenue, Chicago, Illinois, 60624;
and
- m. the property located at 4420 W. Lexington Avenue, Chicago, Illinois, 60624.

All pursuant to Title 21, United States Code, Section 853.

FORFEITURE ALLEGATION TWO

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. The allegations of Counts Two through Six are realleged and incorporated by reference as if fully restated herein for the purpose of alleging that certain property is subject to forfeiture to the United States, pursuant to Title 18, United States Code, Section 982.

2. As a result of his violations of Title 18, United States Code, Section 1956(a)(1)(B)(ii), as alleged in the foregoing indictment,

FRANKLIN BROWN,
also known as "Skinny,"

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all right, title, and interest he may have in any property, real and personal, involved in the offense, and traceable to the property involved in the offense, which property is subject to forfeiture pursuant to Title 18, United States Code, Section 982.

3. The interests of the defendant subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 982, include, but are not limited to, \$258,460.

4. By virtue of the commission of the offenses charged in Counts Two through Six of this indictment by the defendant, all right, title or interest that defendant has in the above-described property is vested in the United States and hereby forfeit pursuant to Title 18, United States Code, Section 982.

5. If any of the property described above as being subject to forfeiture pursuant to Title 18, United States Code, Section 982, as a result of any act or omission of the

defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to, sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value;
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p) as incorporated by Title 18, United States Code, Section 982(b)(1).

All pursuant to Title 18, United States Code, Section 982.

A TRUE BILL;

FOREPERSON

UNITED STATES ATTORNEY